

FORM PTO-1390 (REV 12-2001)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTORNEY'S DOCKET NUMBER <b>039371-17</b>
<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371</b>				U.S. APPLICATION NO. (If known, see 37 CFR 1.5) <b>10/581,969</b>
INTERNATIONAL APPLICATION NO.  <b>PCT/JP2004/018179</b>	INTERNATIONAL FILING DATE  <b>7 December 2004 (07.12.2004)</b>	PRIORITY DATE CLAIMED  <b>8 December 2003 (08.12.2003)</b>		
<b>TITLE OF INVENTION</b> <b>NOVEL INTERACTION BETWEEN PROTEINS, AND THERAPEUTIC AGENT FOR DISUSE MUSCULAR ATROPHY OR METHOD ASSOCIATED WITH DISUSE MUSCULAR ATROPHY TAKING ADVANTAGE OF NOVEL INTERACTION</b>				
<b>APPLICANT(S) FOR DO/EO/US</b> <b>Tohru NATSUME and Ken WATANABE</b>				
<p>Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:</p> <ol style="list-style-type: none"> <li>1. <input type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li>2. <input checked="" type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li>3. <input type="checkbox"/> This is an express request to promptly begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</li> <li>4. <input type="checkbox"/> The US has been elected (Article 31).</li> <li>5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))             <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> has been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ol> </li> <li>6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).             <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> is attached hereto.</li> <li>b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</li> </ol> </li> <li>7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)).             <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> have been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li>d. <input type="checkbox"/> have not been made and will not be made.</li> </ol> </li> <li>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</li> <li>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (two (2) documents) (35 U.S.C. 371(c)(4)).</li> <li>10. <input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</li> </ol> <p><b>Items 11 to 20 below concern document(s) or information included:</b></p> <ol style="list-style-type: none"> <li>11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</li> <li>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</li> <li>13. <input type="checkbox"/> A preliminary amendment.</li> <li>14. <input checked="" type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.</li> <li>15. <input type="checkbox"/> A substitute specification.</li> <li>16. <input type="checkbox"/> A power of attorney and/or change of address letter.</li> <li>17. <input checked="" type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.</li> <li>18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4).</li> <li>19. <input type="checkbox"/> A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4).</li> </ol>				

U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.50) 10/581,969	INTERNATIONAL APPLICATION NO. PCT/JP2004/018179	ATTORNEY'S DOCKET NUMBER 039371-17																																																																																						
<p>20. <input checked="" type="checkbox"/> Other items or information:</p> <p>Copy of Notification of Missing Requirements      Submission of Sequence Listing and Statement Under 37 CFR 1.821      Sequence Listing      Five (5) Non Patent References      Return Receipt Postcard</p>																																																																																								
<p>The following fees are submitted:</p> <table border="1"> <tr> <td>21. <input type="checkbox"/> Basic national fee (37 CFR 1.492(a))</td> <td>\$300.00</td> <td rowspan="2"><b>CALCULATIONS</b></td> <td rowspan="2"><b>PTO USE ONLY</b></td> </tr> <tr> <td>22. <input type="checkbox"/> Examination fee (37 CFR 1.492(c))</td> <td>\$</td> </tr> <tr> <td colspan="2">           If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4).            \$0            All other situations.....            \$200.00         </td> <td></td> <td></td> </tr> <tr> <td colspan="2">           23. <input type="checkbox"/> Search fee (37 CFR 1.492(b))            If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4).            \$0            Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority.....            \$100.00            International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB.....            \$400.00            All other situations.....            \$500.00         </td> <td>\$</td> <td></td> </tr> <tr> <td colspan="2"><b>TOTAL OF 21, 22 and 23 =</b></td> <td>\$</td> <td></td> </tr> <tr> <td colspan="2"> <input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing filed in an electronic medium) (37 CFR 1.492(j)).            The fee is \$250 for each additional 50 sheets of paper or fraction thereof.         </td> <td></td> <td></td> </tr> <tr> <td>Total Sheets</td> <td>Extra sheets</td> <td>Number of each additional 50 or fraction thereof (round up to a whole number)</td> <td>RATE</td> </tr> <tr> <td>- 100 =</td> <td>/50 =</td> <td></td> <td>x \$250.00</td> </tr> <tr> <td colspan="2">           Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).         </td> <td>\$</td> <td></td> </tr> <tr> <td>CLAIMS</td> <td>NUMBER FILED</td> <td>NUMBER EXTRA</td> <td>RATE</td> </tr> <tr> <td>Total claims</td> <td>- 20 =</td> <td></td> <td>x \$50.00</td> </tr> <tr> <td>Independent claims</td> <td>- 3 =</td> <td></td> <td>x \$200.00</td> </tr> <tr> <td colspan="2">MULTIPLE DEPENDENT CLAIM(S) (if applicable)</td> <td>+ \$360.00</td> <td>\$</td> </tr> <tr> <td colspan="2"><b>TOTAL OF ABOVE CALCULATIONS =</b></td> <td>\$</td> <td></td> </tr> <tr> <td colspan="2"> <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.         </td> <td></td> <td></td> </tr> <tr> <td colspan="2"><b>SUBTOTAL =</b></td> <td>\$</td> <td></td> </tr> <tr> <td colspan="2">           Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).         </td> <td>+</td> <td>\$</td> </tr> <tr> <td colspan="2"><b>TOTAL NATIONAL FEE =</b></td> <td>\$</td> <td></td> </tr> <tr> <td colspan="2">           Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property         </td> <td>+</td> <td>\$</td> </tr> <tr> <td colspan="2"><b>TOTAL FEES ENCLOSED =</b></td> <td>\$</td> <td></td> </tr> <tr> <td colspan="2"></td> <td>Amount to be refunded:</td> <td>\$</td> </tr> <tr> <td colspan="2"></td> <td>Amount to be charged:</td> <td>\$</td> </tr> </table>			21. <input type="checkbox"/> Basic national fee (37 CFR 1.492(a))	\$300.00	<b>CALCULATIONS</b>	<b>PTO USE ONLY</b>	22. <input type="checkbox"/> Examination fee (37 CFR 1.492(c))	\$	If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4). \$0 All other situations..... \$200.00				23. <input type="checkbox"/> Search fee (37 CFR 1.492(b)) If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4). \$0 Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority..... \$100.00 International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB..... \$400.00 All other situations..... \$500.00		\$		<b>TOTAL OF 21, 22 and 23 =</b>		\$		<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing filed in an electronic medium) (37 CFR 1.492(j)). 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a.  A check in the amount of \$\_\_\_\_\_ to cover the above fees is enclosed.

b.  Please charge my Deposit Account No. \_\_\_\_\_ in the amount of \$\_\_\_\_\_ to cover the above fees.

c.  The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 50-2478 (039371-17).

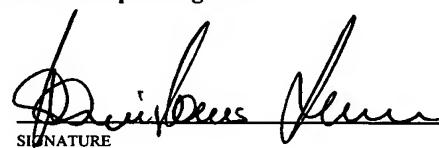
d.  Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card information should not be included on this form.** Provide credit card information and authorization on PTO-2038. The PTO-2038 should only be mailed or faxed to the USPTO. However, when paying the basic national fee, the PTO-2038 may NOT be faxed to the USPTO.

**NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.**

SEND ALL CORRESPONDENCE TO:

Customer No. 25570

Roberts Mlotkowski & Hobbes  
P.O. Box 10064  
McLean, VA 22102



SIGNATURE

Stanislaus Aksman

NAME

28,562

REGISTRATION NUMBER



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
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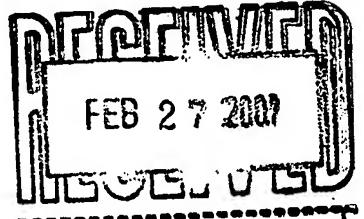
U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/581,969	Tohru Natsume	039371-17
		INTERNATIONAL APPLICATION NO.
		PCT/JP04/18179
25570	I.A. FILING DATE	PRIORITY DATE
ROBERTS, MLOTKOWSKI & HOBBS P. O. BOX 10064 MCLEAN, VA 22102-8064	12/07/2004	12/08/2003
CONFIRMATION NO. 8384		
Docketed By <u>aac 03-26-2007</u> 371 FORMALITIES LETTER		
Verified By _____		
*OC000000022611749*		

Date Mailed: 02/26/2007

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 06/07/2006
- Copy of the International Search Report filed on 06/07/2006
- Biochemical Sequence Listing filed on 06/07/2006
- Request for Immediate Examination filed on 06/07/2006
- U.S. Basic National Fees filed on 06/07/2006
- Priority Documents filed on 06/07/2006



The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- This application does not contain a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). Applicant must provide such statement. If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the

sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

**For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:**

- **For Rules Interpretation, call (571) 272-0951**
- **For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.**
- **Send e-mail correspondence for Patentin Software Program Help @ [ebc@uspto.gov](mailto:ebc@uspto.gov)**

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.  
<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>:

**If you are not using EFS-Web to submit your reply, you must include a copy of this notice.**

FREDERICK SMITH

Telephone: (703) 308-9140 EXT 210

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/581,969	PCT/JP04/18179	039371-17

FORM PCT/DO/EO/905 (371 Formalities Notice)



PC1

## Certificate of Mailing under 37 CFR 1.8

I hereby certify that the following listed correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

Commissioner for Patents  
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Alexandria, VA 22313-1450

on April 26, 2007.  
Date

Transmittal Letter to the United States Designated/Elected Office  
Copy of Notification of Missing Requirements  
Declaration and Power of Attorney for Patent Application (2 documents)  
Application Data Sheet  
Submission of Sequence Listing and Statement Under 37 CFR 1.821  
Sequence Listing  
Computer Readable Form (CRF) Copy of the Sequence Listing  
Information Disclosure Statement with Form PTO-1449 and cited refs. (5 NPL)

Sharon L. Tabor

Signature

Sharon L. Tabor

Typed or printed name of person signing Certificate

Registration Number, if applicable

(703) 677-3001

Telephone Number

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.